

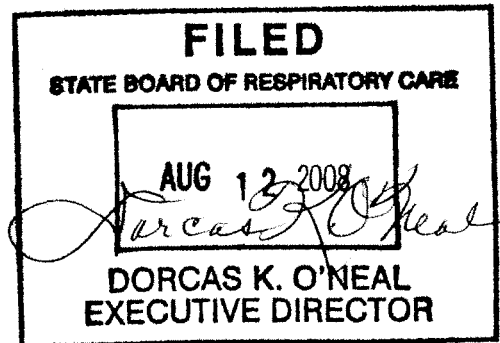
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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF RESPIRATORY CARE

IN THE MATTER OF:

DANN R. KENNEDY
License No. 432A00168600

LICENSED TO PRACTICE RESPIRATORY
CARE IN THE STATE OF NEW JERSEY

Administrative Action

CONSENT ORDER

This matter was opened to the New Jersey State Board of Respiratory Care (Board) upon the receipt of information by Ms. Kellie Gallagher which alleged that Dann R. Kennedy, the Director of Respiratory Services at Virtua West Jersey Hospital in Marlton, New Jersey, aided and abetted the unlicensed practice of respiratory care by Ms. Kellie Gallagher at Virtua West Jersey Hospital from June 2007 through May 2008, in violation of N.J.S.A. 45:1-21(n) and N.J.A.C. 13:44F-9.2, thus providing grounds for disciplinary action pursuant to N.J.S.A. 45:1-21(n). Mr. Kennedy in his capacity as direct supervisor of Ms. Gallagher, should have known that Ms. Gallagher's temporary license expired on February 28, 2007, and he continued to supervise Ms. Gallagher while she did not

have an active license. Mr. Kennedy represented to the Board that as Director of Respiratory Services at Virtua West Jersey Hospital in Marlton, he is responsible to ensure current licensure of all individuals practicing respiratory care in the department.

The Board having considered the aforesaid information, and the parties being desirous of resolving this matter without the necessity for further formal proceedings, Mr. Kennedy having waived any right to a hearing in this matter, and the Board finding that the within Order is adequately protective of the public health and that good cause exists for its entry:

IT IS ON THIS 12th DAY OF August, 2008,

ORDERED:

1. Dann Kennedy is hereby **REPRIMANDED** for permitting or aiding and abetting the unlicensed practice of respiratory care;
2. Dann Kennedy shall **CEASE AND DESIST** from permitting or aiding and abetting the unlicensed practice of respiratory care;
3. Dann Kennedy is hereby assessed civil penalties in the amount of \$250.00 which he shall pay within thirty (30) days of his tendering of a signed copy of this Order, by certified check or money order payable to the State of New Jersey; and
4. Dann Kennedy shall provide the Board a written and complete copy of the Virtua West Jersey Hospital respiratory care department's licensure verification policy within thirty (30) days of his tendering of a signed copy of this Order.

NEW JERSEY STATE BOARD OF RESPIRATORY CARE

By:


Kenneth Capek, Chairman

I have read the above Order
and I understand and agree to
abide by its terms.


Dann Kennedy

8/7/08

I consent to the form
and entry of this Order.


Deborah Mitchell, Esq.

8/7/08